IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No.16055 of 2007
Date of Decision: 6.11.2007

M/s Maharashtra Agrochem Pvt. Ltd. .....Petitioner

Vs.

State of Haryana and others ...Respondents

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CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH
HON'BLE MR.JUSTICE RAJIVE BHALLA

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Present : Mr.Rakesh Verma, Advocate for the petitioner.

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RAJIVE BHALLA, J

The petitioner prays for quashing of the order dated 8.8.2007, suspending his insecticides manufacturing licence upto 31.12.2007.

We have heard learned counsel for the petitioner and perused the paper book.

The petitioner's contention that his licence should not have been suspended, in our considered opinion, cannot be accepted.

A perusal of the impugned order discloses that the petitioner's unit was inspected on 30.8.2006. During the course of inspection, samples were drawn from the insecticides. In addition, labeled, unlabeled and unauthorised containers numbering 588 were found at the premises, as detailed in the impugned order. The Inspecting Committee also found certain other chemicals stocked in a sealed room on the first floor of the factory premises in contravention of the provisions of Insecticides Act,

1968. Out of the 5 samples drawn, Endosulphan 35% EC, Cypermethrin 10% EC and Butachlor 50% EC were found misbranded. The laboratory was found non functional for want of Chemist. The petitioner failed to produce the stock register, manufacturing licence and CIB registration as well. The workers engaged in the manufacturing process were not provided with protective clothing and were not being regularly checked up by the medical experts.

A show cause notice dated 19.10.2006 was issued to the petitioner. The reply was found to be unsatisfactory and accordingly the petitioner's licence was suspended upto 31.12.2007. We found no illegality or error of law in the impugned order that would necessitate the exercise of jurisdiction under Article 226 of the Constitution of India. The petitioner's infraction and violation of the Act have invited a necessary consequence, namely; suspension of his licence.

No merit. Dismissed.

(RAJIVE BHALLA)
JUDGE

6.11.2007
GS

(UMA NATH SINGH)
JUDGE